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STATEMENT BY AMBASSADOR A. SANTANA CARLOS, REPRESENTATIVE OF PORTUGAL, TO THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (THE QUESTION OF EAST TIMOR

Mr. Chairman, Distinguished Delegates and Petitioners,

It is for me a pleasure to address this session of the Special Committee on Decolonization, which has been discussing the question of East Timor for more than two decades. At the outset, I would like to congratulate you, Mr. Chairman, on the able manner you are conducting the work of this Committee.

Decolonization has been one of the most successful endeavours of the United Nations. Since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples (res. 1514 (XV), in 1960, more than sixty former colonial territories have attained independence and joined the United Nations as sovereign members.

This Committee has played a decisive role by setting standards for the effective exercise of the right to self-determination and by keeping the international community appraised of the situation in non-self-governing territories that might otherwise have been neglected.

Such was the case of East Timor. Throughout Indonesia's illegal occupation of the Territory, lasting nearly 24 years, the meetings of this Special Committee provided an invaluable opportunity to consolidate the case for self-determination, in line with the relevant Security Council and General Assembly resolutions. They were also a unique opportunity to voice concerns about the human rights violations and hardship endured by the people of East Timor. In this context, on behalf of the Portuguese authorities, I would like to express our appreciation to the many petitioners who, throughout the years, have referred to the plight of the people of East Timor in this forum. They helped to raise international awareness which was decisive in attaining a political solution for the question of East Timor.

Portugal was "de facto" prevented from exercising its responsibilities as the Administering power of East Timor by the Territory's illegal occupation in 1975. Nevertheless, Portugal always co-operated with this Special Committee. Although Portugal did not have access to the Territory, it transmitted the information available through independent sources on the situation in East Timor. It also kept this Special Committee appraised of the developments of the UN-sponsored talks.

Mr. Chairman,

Portugal always believed that only a political solution that took into account the legitimate aspirations of the people of East Timor would put an end to this long lasting problem. It was in this spirit that we participated in the UN- sponsored talks.

For the most of that period, negotiations registered little progress. However, even during that stalemate, Portugal believed they were the only way of keeping East Timor on the agenda and of enhancing the international character of the problem.

Throughout the negotiations, Portugal based its position on the right to self-determination of the people of East Timor, as established by international law, including several UN resolutions which specifically condemned the illegal occupation of East Timor. The persistence of the people of East Timor in their struggle for freedom, throughout almost a quarter of a century, also showed that, without a political solution taking their legitimate aspirations into account, the problem would not go away.

Mr. Chairman,

As the pro-democracy movement in Indonesia grew stronger so did our confidence that this fact would also positively influence the Indonesian position on the question of East Timor.

In January 1999, former President Habibie announced a major change of Indonesia's policy regarding East Timor. For the first time, Indonesia admitted that the East Timorese should be consulted on the future of the Territory. East Timor's "integration" in Indonesia was no longer considered as irreversible by the Indonesian Government.

2

In light of these developments, the UN-sponsored talks made rapid progress and resulted in the Agreement signed in New York on 5 May 1999.

Through the New York Agreement, Portugal and Indonesia entrusted the UN with organising and conducting a popular consultation through which the people of East Timor would decide between two options – a special autonomy within the Republic of Indonesia or a transition towards independence under UN supervision.

The UN Mission for East Timor (UNAMET) was established on 11 June 1999 (res. 1246) and deployed to the Territory shortly after. Under the leadership of Mr. Ian Martin, UNAMET carried out its mission with remarkable independence and professionalism, as was widely acknowledged by international observers who were present during the consultation.

The ballot took place in a tense environment. Pro-integration militias acting under the guidance and support of sectors of the Indonesian armed forces, who opposed the political solution outlined in the New York Agreement, continued to use threats of violence and intimidation as a means of dissuading the population from choosing independence.

Mr. Chairman,

The atmosphere of violence and tension did not deter the East Timorese from participating massively both in the registration process and in the ballot. Thus, 451,792 voters, among a population of 800,000, were registered and 98% of the voters participated in the ballot.

The people of East Timor had no previous experience of participating in a democratic process, but they had perceived the consultation process as a unique opportunity to express their will regarding the future of their nation.

The results of the referendum were clear, as almost 80% of the voters decided in favour of independence. Almost 25 years after the invasion of their Territory, the people of East Timor had finally exercised their right to self-determination through a peaceful and democratic process conducted by the UN.

Mr. Chairman,

The chaos and violence that swept the Territory after the announcement of the results can only be understood as a final attempt to boycott the political solution established by the New York Agreement by those who opposed to it. International public opinion was distressed by the senseless destruction of basic infrastructure and the forced displacement of thousands of people to West Timor.

Indonesia appeared to be unable to fulfil its responsibility, as established in the New York Agreement, to maintain law and order in East Timor. Lack of control over the situation and mounting international pressure led the Government of Indonesia to accept the assistance offered by the international community in order to re-establish security conditions in East Timor.

The Security Council subsequently authorised a multinational force of interested countries under a unified command structure, led by Australia, which was deployed to East Timor only five days after the adoption, on 15 September 1999, of Security Council resolution 1264. INTERFET's swift and effective action, resulted in the rapid re-establishment of the security conditions that enabled the UN to regain its presence in the Territory and continue to carry out its mandate.

On 25 October, the Security Council, by its resolution 1272, established the UN Transitional Administration in East Timor. UNTAET has been mandated with the overall responsibility for the administration of East Timor during its transition to independence. It represents a new model of an integrated and multidimensional operation, which includes three basic elements - a peacekeeping force, a governance and public administration component and an humanitarian assistance pillar.

Mr. Chairman,

In many respects East Timor is already a successful case. Under the competent leadership of the Special Representative of the Secretary General, Mr. Sérgio Vieira de Mello, peace has been maintained and the humanitarian situation has improved significantly. However, very challenging tasks still lie ahead. The promotion of social and political stability will very much depend on the pace of reconstruction and on the setting up of an effective administration.

The reconstruction of infrastructures, the rehabilitation of the economy and the setting up of all the systems that are necessary for the normal functioning of a modern and democratic state represent a huge challenge for UNTAET, specially if we take into consideration that the disruptive action carried

3

out by the militia during last year, in particular in the month of September 1999, left the territory in a situation of complete destruction.

On one hand, this is an area which requires an acceleration of the United Nations' action. The UN should adjust its mechanisms of intervention in order to fulfil, at a quicker pace, the needs and the demands of the East Timorese, through the reinforcement of their capacity-building.

On the other hand, donor countries should continue to provide their support to East Timor, through the disbursement of the amounts that have been already pledged to UNTAET, the World Bank and other agencies of the UN system.

In this respect, I would like to express satisfaction with the results of the last donor's meeting, that took place in Lisbon, on 22 and 23 of June, in which participating countries have confirmed their willingness and commitment to contribute to the success of East Timor's transition to independence. In Lisbon, we, also, have agreed on the need to reinforce the coordination between the UN system and donor countries, which shall include closer contacts and exchange of information on the implementation of the programs.

Portugal has politically supported the East Timorese plight in the past and is currently contributing, on a multilateral and bilateral basis, to the reconstruction of East Timor. Last year, the Portuguese government disbursed a total of $US 62 million. In the year 2000, as well as in the next two years, our effort, excluding the amounts allocated to the military and security components of UNTAET, will reach the same value.

Mr. Chairman,

The participation of the East Timorese in the process of reconstruction and rehabilitation of their country is crucial for the success of the transition. Until now, they only share the decisions of the Territory's Administration through the participation of representatives of several sectors of the East Timorese society in the National Consultative Council.

Portugal welcomes the philosophy that was recently developed in the consultations that took place between Mr. Vieira de Mello and Mr. Xanana Gusmão, accordingly to which the East Timorese will be given a larger share in the decision making process, including the participation in the executive areas of governance and public administration. We consider that adequate and timely implementation of this understanding is essential for a smooth and progressive transfer of responsibilities from UNTAET to the East Timorese.

It is also a priority to define some benchmarks, that we deem of utmost importance for the creation of a modern and democratic state, based on the rule of law and the respect for human rights.

Among those targets, I would like to refer, firstly, to the setting up of all the mechanisms that can ensure a normal functioning of the administration, including the education, health, judicial, defence and security systems.

Secondly, the implementation of a strategy of sustainable development, in order to guarantee the economic stability and the financial and budgetary balance.

Thirdly, the acceleration of the internal political process, which comprehends the national reconciliation, the setting up of political parties and the organization and holding of free and fair elections.

Finally, the protection and security of the borders.

Mr. Chairman,

in all these fields it would be important to establish a good cooperation between UNTAET, the East Timorese and the international community. As far as the security of the borders is concerned, Indonesia's role is crucial. Despite the progress already achieved, remaining instability can only be settled through the containment of the militia's activities and their removal from West Timor.

Needless to say that national reconciliation depends largely on the resolution of the refugees problem and on the evolution of the process that shall bring to justice those responsible for the atrocities committed in East Timor last year. In both issues, again, it is essential to guarantee an effective cooperation from the Indonesian side. Portugal encourages the efforts that UNTAET, the East Timorese leaders and the authorities in Jakarta are carrying out to solve these sensitive problems.

Mr. Chairman,

4

A positive evolution of the factors I have referred to above will guarantee the success of the transition of East Timor to independence. In this respect, it would be useful if the parties concerned, in due time, would set a date for the holding of elections, as well as for independence. Indeed, there should be a compromise between the time to achieve the necessary conditions of self-governance for the new state and the need not to prolong the role of the United Nations, as the entity responsible for the administration of the Territory.

The Special Committee on Decolonization has played an important role in raising awareness about the necessity of the East Timorese to exercise their right to self-determination. In this process, I would like to commend the active participation in this body, along the years, of the East Timorese, petitioners, and representatives of governments. The way we have worked together express very well the unique character of the Committee.

We are now very close to the end of this process, as we can foresee that independence will come soon. Nevertheless, there are still some fundamental tasks to accomplish. The Portuguese authorities share the view that there is a common responsibility from the part of the international community, as a whole, to contribute and ensure the success of the transition of East Timor to independence. Portugal will continue to fully support the efforts of the East Timorese to achieve self-governance and the role the United Nations are playing to that end.

Thank you.